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2  
3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
4 **OF THE STATE OF WASHINGTON**  
5

6 IN THE MATTER OF ENFORCEMENT )  
7 ACTION AGAINST )

8 Grays Harbor County Democratic )  
9 Central Committee )

10 Respondent. )  
\_\_\_\_\_ )

PDC CASE NO: 04-421

**FINAL ORDER IMPOSING FINE**

11 **INTRODUCTION**

12 The Washington State Public Disclosure Commission (Commission) conducted an  
13 enforcement hearing (adjudicative proceeding) under chapters 34.05 and 42.17 RCW and  
14 chapter 390-37 WAC on March 24, 2004, with respect to the above-encaptioned matter. The  
15 Commission convened the hearing at the Evergreen Plaza Building, Room 206, 711 Capitol  
16 Way South, in Olympia, Washington. The Staff appeared through Philip E. Stutzman,  
17 Director of Compliance. Shirley Wilcox, Chair of the Grays Harbor County Democratic  
18 Central Committee (GHCDCC) and Vini Samuel, past Chair of the GHCDCC, appeared on  
19 behalf of the Respondent.  
20

21 The Commission was provided a copy of the Report of Investigation dated March 10,  
22 2004, the Notice of Administrative Charges dated March 12, 2004 and a Stipulation of Facts,  
23 Violations and Penalty (Stipulation) of the parties dated March 24, 2004. The Stipulation of  
24 Facts, Violations and Penalty are attached, and incorporated by reference into this Order.  
25

26 After due consideration of the Notice of Administrative Charges, the Stipulation of

1 Facts, Violations and Penalty, and oral argument by Staff and the Respondent, the  
2 Commission accepted the Stipulation. The Commission therefore makes the following  
3 findings and enters the following order.  
4

### 5 **FINDINGS**

6 Based upon the stipulated facts and violations in the Stipulation, the Commission  
7 enters the following findings.

8 1. The Commission finds that the Respondent committed multiple violations of  
9 RCW 42.17.080 and .090 by failing to timely file Monetary Contributions reports (PDC form  
10 C-3) for contributions received between January 1, 1999 and September 30, 2003 totaling  
11 \$60,881; and  
12

13 2. The Commission finds that the Respondent committed multiple violations of  
14 RCW 42.17.080 and .090 by failing to timely file Summary Full Report, Receipts and  
15 Expenditures reports (PDC form C-4) disclosing contributions received and expenditures  
16 made between January 1, 1999 and October 27, 2003, with expenditures totaling \$52,327,  
17 including expenditures for contributions to candidates for public office and to political  
18 committees totaling \$11,800.  
19

### 20 **ORDER**

21 The Commission also orders as follows:

- 22 1. That the Stipulation of Facts, Violations and Penalty is accepted;  
23 2. That a total civil penalty of \$5,000 is assessed against the Respondent;  
24 3. That \$2,500 of the penalty is suspended on the condition that the Respondent commits  
25 no further violations of RCW 42.17 for a period of four years from the date of this  
26

1 Order as determined by the Full Commission.

2 **RECONSIDERATION OF FINAL ORDER - COMMISSION**

3 Any party may ask the Commission to reconsider this final order. Parties must place  
4 their requests for reconsideration in writing, include the specific grounds or reasons for the  
5 request, and deliver the request to the Public Disclosure Commission Office within **Twenty-**  
6 **One (21) business days** of the date that the Commission serves this order upon the party.

8 Grounds for reconsideration shall be limited to:

- 9 a) A request for review was deemed denied in accordance with WAC 390-37-144(4);  
10 b) New facts or legal authorities that could not have been brought to the commission's  
11 attention with reasonable diligence. If errors of fact are alleged, the requester must  
12 identify the specific evidence in the prior proceeding on which the requester is relying.  
13 If errors of law are alleged, the requester must identify the specific citation; or  
14 c) Significant typographical or ministerial errors in the order.  
15

16 Pursuant to RCW 34.05.470, the Public Disclosure Commission is deemed to have denied the  
17 petition for reconsideration if, within twenty (20) business days from the date the petition is  
18 filed, the Commission does not either dispose of the petition or serve the parties with written  
19 notice specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470,  
20 the Respondent is not required to ask the Public Disclosure Commission to reconsider the  
21 final order before seeking judicial review by a superior court.  
22

23 **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

24 Pursuant to RCW 42.17.395(5), a **final order** issued by the Public Disclosure  
25 Commission is subject to judicial review under the Administrative Procedures Act, chapter  
26

1 34.05 RCW. The procedures are provided in RCW 34.05.510 - .598. Pursuant to RCW  
2 34.05.542(2), a petition for judicial review must be filed with the superior court in Thurston  
3 County or the petitioner's county of residence or principal place of business. The petition for  
4 judicial review must be served on the Public Disclosure Commission and any other parties  
5 within **30 days** of the date that the Public Disclosure Commission serves this final order on  
6 the parties.  
7

8 If reconsideration is properly sought, the petition for judicial review must be served on  
9 the Public Disclosure Commission and any other parties within thirty (30) days after the  
10 Commission acts on the petition for reconsideration.

11 **ENFORCEMENT OF FINAL ORDERS**

12 The Commission will seek to enforce this final order in superior court under RCW  
13 42.17.395-.397, and recover legal costs and attorney's fees, if the penalty remains unpaid and  
14 no petition for judicial review has been filed under chapter 34.05 RCW. This action will be  
15 taken without further order by the Commission.  
16

17 DATED THIS 30<sup>th</sup> day of March, 2004.

18  
19 FOR THE COMMISSION:

20 /s/

21 \_\_\_\_\_  
22 VICKI RIPPIE, Executive Director

23 *Attachment:* Stipulation of Facts, Violations and Penalty Dated March 24, 2004

24 *MAILING DATE OF THIS ORDER:*  
25 3/30/04  
26 \_\_\_\_\_